

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SUBHASH PATEL, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

KONINKLIJKE PHILIPS N.V. AND
FRANS VAN HOUTEN,

Defendants.

Case No. 1:21-cv-04606-ERK-MMH

JOINT STATUS REPORT

Pursuant to the Court's December 5, 2024 Order (Dkt. No. 64), lead plaintiff Richard Sun and named plaintiff Subhash Patel ("Plaintiffs") and defendants Koninklijke Philips N.V. and François Adrianus van Houten ("Defendants") hereby provide the following joint status report on the status of discovery and settlement negotiations.

In accordance with the Discovery Plan and Scheduling Order (Dkt. No. 64), the parties exchanged requests for production of documents and propounded interrogatories on December 23, 2024. Responses and objections to these discovery requests were exchanged on February 6, 2025. The parties are engaged in ongoing discussions regarding search terms, custodians, non-custodial sources of documents, and other discovery parameters to be applied to the relevant document requests. On March 6, 2025, Plaintiffs requested that Defendants propose a list of search terms and custodians targeted to Plaintiffs' requests for production. On March 12, 2025, Defendants made their proposals. On March 19, 2025, Plaintiffs responded with additional proposals that Plaintiffs believe better serve to capture responsive documents. The parties continue to work through and negotiate the parameters. While negotiation over the discovery parameters is ongoing,

Defendants have produced a number of insurance agreements, organizational charts, and a record retention policy. Those productions did not require utilization of discovery parameters.

Plaintiffs have requested more substantial productions responsive to Plaintiffs' requests for production and are actively engaged in negotiations with Defendants regarding such productions. In particular, Plaintiffs have requested that Defendants produce documents relevant to class certification. Plaintiffs have produced documents relevant to their class certification expert report, as requested by Defendants, including relevant analyst reports, news articles, backup data and programming formulas used in preparing the expert's report. Defendants have agreed to start reviewing and producing documents related to class certification before the parties reach broader agreement on the overall discovery parameters. Pursuant to certain preliminary discovery parameters proposed by Defendants on March 24, 2025, Defendants have begun reviewing thousands of documents that are potentially related to class certification.

In connection with Plaintiffs' motion for class certification, Defendants have requested and Plaintiffs agreed to make available for deposition in April 2025, the following individuals: Plaintiffs' expert on class certification, as well as lead plaintiff and named plaintiff.

The parties have scheduled a private mediation for June 2025, prior to the June 5, 2025 deadline set forth in the Court's Order.

On February 25, 2025, the parties agreed to, and submitted for the Court's approval: (1) a Stipulated Order Regarding Discovery Of Documents And Electronically Stored Information; (2) a Stipulated Order Governing Privilege Log Protocol; and (3) an Order Implementing Federal Rule of Evidence 502(d) (together, the "Discovery Orders"). The Parties respectfully request that the Court enter those Discovery Orders. Otherwise, the parties do not believe there are any matters requiring the Court's attention.

Dated: March 31, 2025

Respectfully submitted,

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/s/ Emma Gilmore

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